IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

RPFC.No. 119 of 2007(E)

MC.346/2003 of THE FAMILY COURT, THRISSUR
.....

REVISION PETITIONER/RESPONDENT

T.MANOJ MENON, AGED 30,
S/O P.V.NARAYANA MENON, THATTATH HOUSE,
VETTIKKAL, MANNUTHY P.O., THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS: PETITIONER

P.V.NARAYANA MENON, S/O KOCHAMMU,
NOW RESIDING IN THE ADDRESS C/O SANTHA KUMARI,
CHIRAPURATH HOUSE, NEAR VICTORY ITC,
OLLUKARA, THRISSUR TALUK.

BY PUBLIC PROSECUTOR MR. AMJAD ALI

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

R.P.F.C.NO.119 OF 2007

DATED THIS THE 15TH DAY OF MARCH 2007

ORDER

The revision petitioner is the respondent who has been ordered to pay maintenance at the rate of Rs.600/- per month striking off the defence. I find that the court is not having the power to struck off the defence in criminal proceedings. Hence, the order is set aside and the matter is remitted back to the court below. The court below is directed to dispose of the matter on merits after affording opportunity to both sides to adduce further evidence, if they so desire. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.